

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FOURTH DAY OF MAY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE Mr. JUSTICE V.ESWARAIAH

WRIT PETITION NO : 11688 of 2005

Between:

I.Ajay Kumar Reddy, S/o.Radhakrishna Reddy,
M/s.IRK Reddy & Sons, H.P.C.Dealer, Brindavanam, Nellore, Nellore Dist.

..... PETITIONER

AND

The Commissioner, Nellore Municipal Corporation, Nellore.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction, more particularly, one in the nature of Writ of Mandamus declaring the action of the respondent in not providing maximum access on the plat form constructed over the drainage channel situated on the eastern side of G.N.T.Road abutting to petitioner's petrol bunk for ingress and egress of vehicles to the petrol pump by disposing of the petitioner's representation dt.31-3-2005 as illegal, arbitrary and consequently direct the respondent to provide maximum access on the platform being constructed over the drainage channel situated on the eastern side of G.N.T.Road abutting to petitioner's petrol bunk for ingress and egress of vehicles to the petrol pump by disposing of the petitioner's representation dated: 31.3.2005 forthwith and pass such other order or orders as deemed fit and proper.

Counsel for the Petitioner: Mr. M.SUBBA REDDY

Counsel for the Respondent: Mr. S.NAGESWARA REDDY

The Court made the following :

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ORAL ORDER:

It is stated that the petitioner is carrying on business under the name and style of T.R.K.Reddy & Sons by running a petrol bunk on the eastern side of G.N.T.Road, Nellore. While so, for implementation of the master plan in Nellore, the respondents have made road-marking and going to dig a drainage channel towards eastern side of the GNT Road, Nellore abutting the petrol bunk of the petitioner and also going to construct platform over the said proposed drainage channel obstructing the movement of the vehicles into the petrol bunk. In this regard, the petitioner made a representation dated: 31.3.2005 to the Commissioner, Nellore Municipal Corporation requesting him to provide access to the vehicles for entering into the petitioner's petrol pump.

Having regard to the facts and circumstances of the case, the respondent is directed to consider and dispose of the representation dated: 31.3.2005 by giving reasonable opportunity to the petitioner and pass appropriate orders within a period of two weeks from the date of the receipt of a copy of this order.

The Writ Petition is, accordingly, disposed of. No costs.

24.5.2005.

VR.

Note:

Issue cc in two days.

To

1. The Commissioner, Nellore Municipal Corporation, Nellore.

2. 2 CD copies.